



Attorney's Docket No. 628-318CT

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: David McCray Peele
Serial No.: 09/735,177
Filed: December 12, 2000
For: TOBACCO PROCESSING

Group Art Unit: 1731
Examiner: Walls

Date: August 20, 2002

Commissioner for Patents
Washington, DC 20231

RESPONSE A

Dear Sirs:

This Amendment is responsive to the Office Action of February 22, 2002.

In the Claims:

Please add new Claim 58.

58. (New) The method of Claims 14, 15, 16, 17, 18, 19, 20 or 21 wherein the step of producing heated air and nitric oxide gas comprises the act of burning a propane fuel in the heat exchange unit.

REMARKS

Claims 1-58 are pending.

Restriction to one of the following inventions has been required under 35 U.S.C. § 121:

Invention I: Claims 1-7, drawn to a method for modifying a tobacco curing barn classified in class 131, subclass 299; or

Invention II: Claims 8-13, drawn to a method for curing tobacco classified in class 131, subclass 299.

Applicant had elected, with traverse, Group I (Claims 1-7) for further prosecution. The Applicant respectfully continues to traverse the Restriction Requirement.

There is a technical relationship existing between Groups I and II that involves the same special technical features, namely the curing of tobacco using a modified curing barn. It is this technical feature that defines the contribution, with each of the groups,

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